

Janet Lindner Spielberg (SBN 221926)

LAW OFFICES OF JANET

LINDNER SPIELBERG

12400 Wilshire Boulevard, #400

Los Angeles, California 90025

Tel: (310) 392-8801

Fax: (310) 278-5938

Email: jlsplberg@jlspl.com

Michael D. Braun (SBN 167416)

BRAUN LAW GROUP, P.C.

10680 West Pico Boulevard, Suite 280

Los Angeles, California 90064

Tel: (310) 836-6000

Fax: (310) 836-6010

Email: service@braunlawgroup.com

Joseph N. Kravec, Jr. (admitted *pro hac vice*)

Wyatt A. Lison (admitted *pro hac vice*)

FEINSTEIN DOYLE PAYNE

& KRAVEC, LLC

Allegheny Building, 17th Floor

429 Forbes Avenue

Pittsburgh, Pennsylvania 15219

Tel: (412) 281-8400

Fax: (412) 281-1007

Email: jkravec@fdpklaw.com

wlison@fdpklaw.com

ATTORNEYS FOR PLAINTIFF

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**KIMBERLY S. SETHAVANISH, on behalf
of herself and all others similarly situated,**

Plaintiff,

v.

**ZONEPERFECT NUTRITION COMPANY,
a Delaware corporation,**

Defendant.

CASE NO.: 3:12-CV-02907

CLASS ACTION

**STIPULATION AND NOTICE OF
DISMISSAL**

Pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(ii), plaintiffs Kimberly S. Sethavanish (*a/k/a* Kimberly S. Colucci) and James Colucci, and defendant ZonePerfect Nutrition Company, representing all parties that appeared in this action, hereby stipulate to dismissal of this action with prejudice.¹

Dated: April 10, 2014

LAW OFFICES OF JANET LINDNER SPIELBERG

By: /s/Janet Lindner Spielberg

Janet Lindner Spielberg, Co-Lead Attorney for
PLAINTIFFS

Dated: April 10, 2014

BRAUN LAW GROUP, P.C.

By: /s/Michael D. Braun

Michael D. Braun, Co-Lead Attorney for
PLAINTIFFS

Dated: April 10, 2014

FEINSTEIN DOYLE PAYNE & KRAVEC, LLC

By: /s/Joseph N. Kravec, Jr.

Joseph N. Kravec, Jr., Co-Lead Attorney for
PLAINTIFFS

Dated: April 10, 2014

KIRKLAND & ELLIS LLP

By: /s/Jonathan D. Brightbill

Jonathan D. Brightbill, Attorney for DEFENDANT

IT IS SO ORDERED:



Samuel Conti
U.S. District Judge

Nunc Pro Tunc 04/14/2014

¹ The dismissal is effective upon filing. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Garbel' v. Chicago Merchantile Exch.*, 570 F.3d 1361, 1366 (Fed. Cir. 2009); *McCall-Bey v. Franzen*, 777 F.2d 1178, 1185 (7th Cir. 1985).